

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

JOHN MICHAEL BROOKS,

Petitioner,

v.

JACK WARNER.

## **Respondent.**

Case No. 3:22-cv-05486-JLR-TLF

**ORDER EXTENDING STAY,  
DIRECTING JOINT STATUS  
REPORTS REGARDING STATE  
COURT PROCEEDINGS**

This is a 28 U.S.C. § 2254 habeas corpus action. By order dated December 5,

2022, the Court granted petitioner's unopposed motion to stay and abey these

proceedings pending completion of petitioner's ongoing proceedings in state court. Dkt.

17. The Court further directed respondent to file status reports every ninety (90) days.

*Id.* The Court directed petitioner to inform the Court and to file a motion to lift the stay

within 30 days of the resolution of state court proceedings. *Id.*

On January 9, 2024, the parties submitted a joint status report stating that the

parties jointly request the Court continue the stay of proceedings because petitioner's

state post-conviction relief proceeding is still pending. Dkt. 30.

Accordingly, it is hereby ORDERED:

(1) The matter continues to be stayed.

(2) The parties are directed to file a joint status report every ninety (90) days

informing the Court of the status of petitioner's state proceedings. The next joint

**ORDER EXTENDING STAY, DIRECTING JOINT  
STATUS REPORTS REGARDING STATE COURT  
PROCEEDINGS - 1**

1 status report is due on or before **April 11, 2024**, and shall include the state court  
2 cause number.

3 (3) If the state court dismisses or resolves petitioner's state court proceedings,  
4 petitioner is directed to inform the Court and to file a motion to lift the stay within  
5 30 days of the state court taking action.

6 (4) Respondent shall file their answer to the petition (in accordance with Rule 5 of  
7 the Rules Governing Section 2254 Cases) 45 days after the Court enters an  
8 order lifting the stay.

9 Dated this 12th day of January, 2024.

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13 Theresa L. Fricke  
14 United States Magistrate Judge  
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